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*Via ECF and Email*

September 24, 2013

The Honorable Joel A. Pisano  
United States District Judge  
United States District Court  
District of New Jersey  
402 East State Street  
Trenton, New Jersey 08608

**Re: United States v. Eliyahu Weinstein, et al., Docket No. 11-CR-701 (JAP)**

I am writing to respectfully seek the Court's assistance in connection with Eliyahu Weinstein's status in the custody of the U.S. Marshal's Service.

Yesterday morning, without any warning, Mr. Weinstein was moved from the Monmouth County Correctional Institution (MCCI) in Freehold, New Jersey to Burlington County Jail, where he is currently being held. Based on Mr. Weinstein's communications with the Marshal's Service and my own communications with the U.S. Attorney's Office (which helpfully reached out to the Marshal's Service), Mr. Weinstein was moved not because of any infraction—his record at MCCI has been exemplary to my understanding—but because MCCI determined that housing him was disruptive to the facility. I am not sure what this means and no one has provided any detailed explanation. I can represent to the Court that over the Jewish holidays, at MCCI, Mr. Weinstein requested certain religious accommodations, such as use of a shofar on Rosh Hashanah and a sukkah for the Sukkoth holiday. Perhaps MCCI could not accommodate Mr. Weinstein's religious needs.

In any event, Mr. Weinstein reports that the Burlington County Jail does not permit him to wear a yarmulke or access his phylacteries. He also reports that he feels in danger, although he was reluctant to discuss details over the phone. At this point, it seems that Mr. Weinstein should be transferred to a facility that can accommodate his religious needs and one that is in close proximity to counsel.

Thus, I am requesting that the Court request that the U.S. Marshal's Service house Mr. Weinstein at the Metropolitan Detention Center in Brooklyn, New York, or the Metropolitan Correctional Center in New York, New York. Both of these institutions offer significant religious

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accommodations to members of the Jewish faith. In contrast, at Burlington County Jail, Mr. Weinstein is unable to observe the basic requirements of the Orthodox Jewish faith. Furthermore, the MDC and MCC, federal institutions, should be a more suitable fit in terms of personal security for a non-violent offender. Finally, I will be able to visit Mr. Weinstein within 30-45 minutes from my office, whereas the Burlington County Jail is a lengthy drive of 1.5 hours or more each way.

I thank the Court for its consideration in this matter.

Respectfully submitted,

/s/ Eric M. Creizman

Eric M. Creizman

Enclosures

cc: Gurbir Grewal, Esq., Zach Intrater, Esq., Rachel Honig, Esq. (by email)  
Assistant United States Attorneys